

Stip does not
affect confirmed plan

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Josh Sumpter Jr. aka Josh Sumpter
Debtor

CHAPTER 13

WILMINGTON TRUST, NATIONAL
ASSOCIATION, AS SUCCESSOR TRUSTEE
TO CITIBANK, N.A., AS TRUSTEE TO
MERRILL LYNCH MORTGAGE INVESTORS
TRUST, MORTGAGE LOAN ASSET-BACKED
CERTIFICATES, SERIES 2006-HE5
Secured Creditor

NO. 16-12644 ELF

vs.

11 U.S.C. Section 362

Josh Sumpter Jr. aka Josh Sumpter
Debtor

William C. Miller Esq.
Trustee

STIPULATION

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. The post-petition arrearage on the mortgage held by the Secured Creditor on the Debtor's residence is **\$2,404.00**, which breaks down as follows;

Post-Petition Payments:	February 1, 2019 at \$678.01/month
	March 1, 2019 to May 1, 2019 at \$687.59/month
Suspense Balance:	\$336.78
Total Post-Petition Arrears	\$2,404.00

2. On January 2, 2019, the Court entered an Order Granting Secured Creditor's Motion for Relief.

3. The parties now jointly agree that the Automatic Stay should be and is re-imposed.

4. The Debtor shall cure said arrearages in the following manner;

a) On or before May 31, 2019, Debtor shall make a down payment to pay the post-petition arrears of **\$2,404.00**.

5. Beginning with the payment due June 1, 2019 and continuing thereafter, Debtor shall pay to Secured Creditor the present regular monthly mortgage payment of \$687.59 (or as adjusted pursuant to the terms of the mortgage) on or before the first (1st) day of each month (with late charges being assessed after the 15th of the month).

6. Should Debtor provide sufficient proof of payments made, but not credited (front & back copies of cancelled checks and/or money orders), Secured Creditor shall adjust the account accordingly.

7. In the event the payments under Section 3 above are not tendered pursuant to the terms of this stipulation, Secured Creditor shall notify Debtor and Debtor's attorney of the default in writing and the Debtor may cure said default within FIFTEEN (15) days of the date of said notice. If Debtor should fail to cure the default within fifteen (15) days, Secured Creditor may file a Certification of Default with the Court and the Court shall enter an Order granting Secured Creditor immediate relief from the automatic stay and waiving the stay provided by Bankruptcy Rule 4001(a)(3).

8. If the case is converted to Chapter 7, Secured Creditor shall file a Certification of Default with the Court and the Court shall enter an order granting Secured Creditor relief from the automatic stay.

9. If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.

10. The provisions of this stipulation do not constitute a waiver by Secured Creditor of its right to seek reimbursement of any amounts not included in this stipulation, including fees and costs, due under the terms of the mortgage and applicable law.

11. The parties agree that a facsimile signature shall be considered an original signature.

Date: May 17, 2019

By: /s/ Rebecca A. Solarz, Esquire
Attorney for Secured Creditor

Date: May 22, 2019

David M. Offen
David M. Offen, Esquire
Attorney for Debtor

Date: 6/10/19

William C. Miller
William C. Miller, Esquire
Chapter 13 Trustee

NO OBJECTION
*without prejudice to any
trustee rights or remedies.

Approved by the Court this ____ day of _____, 2019. However, the court retains discretion regarding entry of any further order.

Bankruptcy Judge
Eric L. Frank